

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Presently before the court is the government's motion to correct a clerical error in the judgment of conviction as to Christopher J. Biggers. (Doc. #58). Mr. Biggers has not responded.

On March 23, 2012, this court granted Mr. Biggers' motion to vacate sentence pursuant to
18 U.S.C. § 2255. The court vacated the previous judgment of conviction and reentered it to enable
Mr. Biggers to file a notice of appeal. In reentering the judgment of conviction, however, the final
order of forfeiture was not attached to the judgment.

Pursuant to Fed. R. Crim. P. 32.2(b)(4)(B), "The court must also include the forfeiture order,
18 directly or by reference, in the Judgment, but the court's failure to do so may be corrected at any time
19 under Rule 36."
20

21 Here, the judgment does not include the forfeiture order. Therefore, pursuant to this court's
22 authority under Fed. R. Crim. P. 36 to correct clerical errors in judgment, the court orders that the
forfeiture order be included in the judgment of conviction.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the government's motion
to correct clerical error (doc. #58) be, and the same hereby is, GRANTED.

27
28

1 IT IS FURTHER ORDERED that the clerk of the court attach a copy of this court's forfeiture
2 order (doc. #52) to the judgment of conviction (doc. #57).

3 DATED March 28, 2012.

4
5 
6 JAMES C. MAHAN
7 UNITED STATES DISTRICT JUDGE

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28